

BOMBAY ACT No. V of 1888.¹

[19th January, 1889.]

An Act to vest the Port of Aden in a Trust.

WHEREAS it is expedient to vest the port of Aden in a trust and to provide for the management of the affairs of the said port by trustees; It is enacted as follows :—

I.—PRELIMINARY.

1. This Act may be called the Aden Port Trust Act, 1888.

Short title.

2. In this Act, unless there be something repugnant in the subject or context,—

- (a) “Port” means the port of Aden as defined for the purposes of this Act :
- (b) “high-water mark” means a line drawn through the highest points reached by ordinary spring-tides at any season of the year :
- (c) “low-water mark” means a line drawn through the lowest points reached by ordinary spring-tides at any season of the year :
- (d) “land” includes the bed of the sea below high-water mark, and also things attached to the earth or permanently fastened to anything attached to the earth :
- (e) “master,” when used in relation to any vessel, means any person having for the time being the charge or control of such vessel :
- (f) the word “goods” includes wares and merchandise of every description :
- (g) “owner,” when used in relation to goods, includes any consignor, consignee, shipper or agent for the sale or custody of such goods; and, when used in relation to any vessel, includes any part owner, charterer, consignee or mortgagee in possession thereof.

3. (1) The Governor in Council may, by notification in the Bombay Government Gazette, ² define the limits of the port for the purpose of this Act, and may from time to time by a like notification alter such limits.

Power to define and alter limits of port.

(2) Such limits may extend to any part of the navigable approaches to the port, and may include any wharves, tramways, warehouses, sheds and

¹ For Statement of Objects and Reasons, see Bombay Government Gazette, 1888, Pt. V., p. 370; and for proceedings in Council, see *ibid.*, p. 389.

² For notifications defining the limits of the Port of Aden, see Bombay Local Rules and Orders.

other works made on behalf of the public for convenience of traffic, for safety of vessels, or for the improvement, maintenance and good government of the port, whether within or without high-water mark, and, subject to any rights of property therein, any portion of the shore within fifty yards of high-water mark.

II.—OF THE BOARD OF TRUSTEES.

Constitution of Board.

Act to be carried out by trustees.

4. The duty of carrying out the provisions of this Act shall, subject to such conditions and limitations as are hereinafter contained, be vested in a Board to be called "the Trustees of the Port of Aden;" and such Board, hereinafter referred to as "the Board," shall be a body corporate and have perpetual succession and a common seal, and shall sue and be sued by the name first aforesaid.

Number of trustees.

5. The Board shall consist of such number of Trustees as shall from time to time be fixed by Government, the same being not less than six.

Chairman and *ex-officio* trustees.

[6. (1) Government shall from time to time appoint a person to be Chairman of the Board. The Chairman shall be a trustee.

(2) The Port Officer at Aden, * * * * and * [an officer of the Head Quarters Staff, Aden Brigade, appointed in virtue of his office by the General Officer Commanding] or, in the absence of any of the above-mentioned officers, the officer acting for him shall be *ex-officio* trustees].

Appointment of other trustees.

7. The rest of the trustees shall be appointed by Government, and of these such number as shall from time to time be fixed by Government shall not be public officers.

Publication of names of non-official trustees in the official Gazette.

8. The names of all trustees other than the *ex-officio* trustees shall be published in the Bombay Government Gazette.

9. [Term of office of first trustees when to commence.] *Rep. Act XVI of 1895.*

Length of term of office of non-official trustees.

10. Every trustee, other than * [the Chairman or] *ex-officio* trustees, shall, unless he becomes in the meantime disqualified, hold office for a term of two years.

* This section was substituted by s. 2 of the Aden Port Trust (Amendment) Act, 1911 (Bom. Act 1 of 1911), Vol. V of this Code.

* The words "the Port Surgeon at Aden" were omitted by s. 2 of the Aden Port Trust (Amendment) Act, 1914 (Bom. Act 4 of 1914), Vol. V of this Code.

* These words were substituted for the words "the Deputy Assistant Quartermaster-General, Aden Brigade" by s. 2 of the Aden Port Trust (Amendment) Act, 1922 (Bom. Act 9 of 1922), Vol. V of this Code.

* These words were inserted by s. 3 (1) of the Aden Port Trust (Amendment) Act, 1911 (Bom. Act 1 of 1911), Vol. V of this Code.